

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**QUENTIN LA GRANDE,**

**Plaintiff,**

**1:03-CV-1453  
(GLS/RFT)**

**v.**

**ADECCO,**

**Defendant.**

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**APPEARANCES:**

**OF COUNSEL:**

**FOR THE PLAINTIFF:**

QUENTIN LA GRANDE  
Plaintiff, *Pro Se*  
276 Sheridan Avenue  
Albany, New York 12210

**FOR THE DEFENDANTS:**

McNAMEE, LOCHNER,  
LAW FIRM  
P.O. Box 459  
677 Broadway  
Albany, New York 12207

DAVID J. WUKITSCH, ESQ.

**Gary L. Sharpe  
U.S. District Judge**

## **DECISION AND ORDER**

### **I. Introduction**

Plaintiff *pro se* Quentin La Grande brings this suit alleging unlawful employment discrimination in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* Pending are his objections to Magistrate Judge Randolph F. Treece's Report, which recommended dismissal of La Grande's complaint. *See Dkt. Nos. 65, 66.* For the following reasons, La Grande's objections without merit, and the court adopts Judge Treece's Report-Recommendation in its entirety.

### **II. Procedural History**<sup>1</sup>

Since this action was commenced in December 2003, La Grande has failed to comply with numerous orders by the court, including, but not limited to, all discovery requirements. Despite the issuance of an order for sanctions and an emergency stay, La Grande has continued to frustrate the litigation with delay and willful noncompliance. A complete procedural history is well-documented in Judge Treece's report. *See Dkt. No. 65, pp. 1-8.*

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<sup>1</sup>The Clerk is directed to append Judge Treece's Report-Recommendation to this decision, and familiarity is presumed. *See Dkt. No. 65.*

### **III. Discussion**

#### **A. Objections**

La Grande's objections are non-specific and frivolous. Therefore, he has procedurally defaulted. See *Almonte v. N.Y. State Div. of Parole*, 9:04-CV-484, 2006 WL 149049 (N.D.N.Y. Jan. 18, 2006). However, his objections generally state that dismissal is unwarranted and that he can provide evidence that he did not willfully disregard previous court orders. He specifically requests that the court grant him an additional stay. These contentions are without merit. As Judge Treece noted, at no time has La Grande provided any evidence detailing: (1) that he complied with discovery requirements; (2) the reason why he was not able to attend his deposition; and (3) that he never received the requested materials and the notice of deposition from Adecco. La Grande has offered no substantial justification for his willful disregard of discovery requirements. See FED. R. CIV. P. 37(c)(1); see also *Jockey Int'l, Inc. v. M/V "Leverkusen Express,"* 217 F. Supp. 2d 447, 452 (S.D.N.Y. 2002). Moreover, La Grande was notified on several occasions that his continuous failure to comply with discovery requests would result in the dismissal of his action. Accordingly, finding no clear error, La Grande's objections are without merit.

#### **IV. Conclusion**

Since Judge Treece's findings are not clearly erroneous, see *Almonte v. N.Y. State Div. of Parole*, 04-CV-484, 2006 WL 149049, at \*1 (N.D.N.Y. Jan. 18, 2006), this court accepts and adopts the recommendation of Judge Treece for the reasons stated in the May 10, 2006 Report-Recommendation.

**WHEREFORE**, for the foregoing reasons, it is hereby

**ORDERED** that the Report-Recommendation filed on May 10, 2006 is **ACCEPTED** in its entirety for the reasons stated therein, and it is further

**ORDERED** that La Grande's request for an emergency stay (**Dkt. No. 64**) is **DENIED**, and it is further

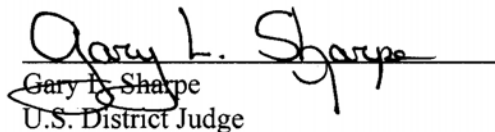
**ORDERED** that the motion for sanctions and dismissal filed on behalf of the defendant (**Dkt. No. 44**) is **GRANTED** and the complaint

**DISMISSED IN ITS ENTIRETY**, and it is further

**ORDERED** that the Clerk of the Court provide copies of this Order to the parties.

**IT IS SO ORDERED.**

September 28, 2006  
Albany, New York

  
Gary L. Sharpe  
U.S. District Judge